[illegible] COMMISSIONERS

Against Canterburie and [illegible] of IRELAND,

[illegible] Service Book [illegible]

[illegible] altered [illegible]

[illegible] TOGETHER

[illegible] their Demand concerning the Sixt Article of the Treatie.

[illegible] the judgement which [illegible] The [illegible] is [illegible] in the [illegible] hands.

[illegible] Anno Dom. 1641.

CHARGE

ON THE

SCOTTISH

COMMISSIONERS,

The charge of the Scottish Commissioners against the Prelate of CANTERBURY.

NOvations in Religion, which are universally acknowledged to be the main cause of commotions in Kingdomes and States, and are known to be the true cause of our present troubles, were many and great, beside the book of Ordination, and Homilies: 1 Some particular alterations in matters of Religion, pressed upon us without order, and against Law, contrary to the forme established in our Kirk. 2 A new book of Canons and Constitutions Ecclesiasticall. A Leiturgie or book of Common-Prayer, which did also carry with them many dangerous errours in matters of doctrine. Of all which we challenge the Prelate of *Canterbury*, as the prime cause on earth.

And first, that this Prelate was the author and urger of some particular changes, which made great disturbance amongst us: we make manifest, 1 By fourteen letters subscribed, *W. Cant.* in the space of two years, to one of our pretended Bishops, *Bannatine*, wherein

hee often enjoyneth him, & other pretended Bishops, to appear in the Chappel in their white, contrary to the custome of our Kirk, and to his promise made to the pretended Bishop of *Edinburgh*, at the coronation, that none of them after that time, should be pressed to wear these garments, thereby moving him against his wil to put them on for that time, wherein hee directeth him to give order for saying the *English* Service in the chappel twice a day; for his neglect shewing him that hee was disappointed of the Bishoprick of *Edinburgh*, promising him upon his greater care of these novations, advancement to a better Bishoprick, taxing him for his boldnes in preaching the sound doctrine of the reformed Kirk, against Master *Mitchel*, who had taught the errors of *Arminius*, in the point of the extent of the mercy of Christ; bidding him send up a list of the names of the Counsellours and Senatours of the Colledge of Justice, who did not communicate in the Chappell in a forme which was not received in our Kirk, commending him when he found him obsequious to these his commands, telling him that hee had moved the King the second time for the punishment of such as had not received in the Chappel; and wherein he upraideth him bitterly that in his first Synod at *Aberdeen*, he had only disputed against our custome of *Scotland*, of fasting sometimes on the Lords day, and presumptuously censuring our Kirk, that in this we were opposite to Christianity it self; and that amongst us there was no Canons at all: More of this stuffe may bee seen in the letters themselves.

Secondly

Secondly, by two papers of memoirs and instructions from the pretended Bishop of Saint *Andrews*, to the pretended bishop of *Rosse*, coming to this Prelate for ordering the affairs of the Kirk, and Kingdome of *Scotland*, as not onely to obtain warrants, to order the Exchequer, the Privie Councel, the great Commission of Surrenders, the matter of *Balmerno's* proceſs, as might pleaſe our Prelates, but warrants alſo for fitting of the high Commiſſion Court once a week in *Edinburgh*, & to gain from the Noblemen, for the benefite of Prelates, and their adherents, the Abbacies of *Kelſo*, *Arbroith*, S. *Andrews*, and *Lindors*: and in the ſmalleſt matters to receive his commands, as for taking down Galleries, and ſtone-wals in the Kirks of *Edinburgh*, and Saint *Andrews*, for no other end but to make way for Altars, and adoration towards the eaſt, which beſides other evils, made no ſmall noiſe, and diſturbance amongſt the people, deprived hereby of their ordinary accommodation for publck worſhip.

The ſecond Novation which troubled our peace, was a book of Canons, and Conſtitutions Eccleſiaſticall, obtruded upon our Kirk, found by our Generall Aſſembly to be deviſed for eſtabliſhment of a tyrannical power, in the perſons of our Prelates, over the worſhip of God, over the conſciences, liberties, & goods of the people; and for aboliſhing the whole diſcipline, & government of our Kirk, by generall and provinciall Aſſemblies, Presbyteries, and Kirk Seſſions, which was ſettled by law, and in continuall practiſe ſince the time

time of the formation; that Canterbury was Maister of this work, is manifest.

By a book of Canons sent to him, written upon the one side onely, with the other side blanke, for corrections, additions, and putting all in better order, at his pleasure; which accordingly was done as may appear by interlinings, marginals, and filling up of the blanke page with directions sent to our Prelats; & that it was done by no other then Canterbury, is evident by his Magisterial way of prescribing, and by a new copy of these Canons, all written with Saint *Andrews* own hand, precisely to a letter, according to the former castigations, sent back for procuring the Kings warrant unto it, which accordingly was obtained; but with an addition of some other Canons, and a paper of some other corrections: According to which the book of Canons thus composed, was published in print, the inspection of the bookes, instructions, and his letters of joy, for the successe of the work, and of others letters of the Prelate of *London*, and the Lord Sterling, to the same purpose; all which we are ready to exhibite, will put the matter out of all debate.

Beside this generall, there be some things more speciall worthy to be adverted unto, for discovering his spirit. 1 The 4 Canon of cap. 8. forasmuch as no reformation in Doctrine, or Discipline can be made perfect at once in any Church; therefore it shall, and may be lawfull for the Church of *Scotland*, at *any time* to make remonstrance to his M. or his successours, &c.

Because

Because this Canon holdeth the doore open for innovations, he writeth to the Prelate of [illegible] his privy Agent, in all this work, of his great gladnes, that this Canon did *stand behinde the Curtain*, and his great desire that this Canon *may be printed fully, as one that may to be most usefull*. Secondly, the title prefixed to these Canons by our Prelates. Canons agreed upon to *bee proponed to the severall Synods of the Kirk of Scotland*, is thus changed by Canterbury: Canons and Constitutions *Ecclesiastical*, &c. ordained to be observed *by the Clergy*. Hee will not have Canons to come from the authoritie of Synods, but from the power of Prelates, or from the Kings prerogative. Thirdly, the formidable Canon, Cap. 1. 3. threatning no lesse then excommunication against all such persons whosoever shall open their mouthes against any of these books, proceeded not from our Prelates, nor is to be found in the copy sent from them, but is a thunderbolt forged in Canterburies own fire. 4. Our Prelates in divers places witnesse their dislike of Papists. A Minister shal be deposed if he be found negligent to convert Papists. Cap. 18. 15. The adoration of the Bread is a superstition to be condemned, Cap. 6. 6. They call the absolute necessity of Baptisme an error of Popery, Cap. 6. 2. But in Canterburies edition, the name of Papists and Poperie is not so much as mentioned. 5. Our Prelats have not the boldnesse to trouble us in their Canons, with Altars, Fonts, Chancels, reading of a long Leiturgie before Sermon, &c. But Canterburie is punctuall,

and

and peremptory in all these. 6. Although the words of the tenth Canon, chap. 3. be faire, yet the wicked intentions of *Canterbury* and *Ross*, may be seene in the point of justification of a sinner before God, by comparing the Canon as it came from our Prelats, and as it was returned from *Canterbury*, and printed; our Prelats say thus: *It is manifest that the superstition of former ages, hath turned into a great prophanesse, and that people are grown cold for the most part, in doing any good, thinking there is no place to good works, because they are excluded from justification. Therefore shall all Ministers as their text giveth occasion, urge the necessity of good works, as they would be saved, and remember that they are* via regni, *the way to the kingdome of heaven, though not* causa regnandi, *howbeit they be not the cause of salvation.* Here *Ross* giveth his judgement, *That he would have this Canon simply commanding good works to be preached and no mention made what place they have or have not in justification.* Upon this motion so agreeable to Canterburies mind, the Canon is set down as it standeth without the distinction of *via regni*, or *causa regnandi*, or any word sounding that way, urging onely the necessity of good works. 7. By comparing Can. 9. chap. 18. as it was sent in writing from our Prelats, and as it is printed at Canterburies command, may be also manifest, that he went about to establish auricular confession, and Popish absolution. 8. Our Prelats were not acquainted with Canons for inflicting of arbitrary penalties: But in Canterburies book, wheresoever there

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[illegible] it is [illegible] that [illegible] as the Ordinary shall think fittest. By these and many other the like, it is apparant, what tyrannicall power hee went about to establish in the hands of our Prelates, over the worship, and the souls and goods of men, over turning from the foundation, the whole order of our Kirk, what seedes of Popery he did sow in our Kirk, and how large an entrie hee did make for the grossest novations afterward, which hath been a main cause of all their combustion.

The third and great Novation was the book of Common Prayer, administration of the Sacraments, and other parts of divine Service, brought in without warrant from our Kirk to be universally received, as the onely forme of divine Service, under all highest paines both civill and Ecclesiastical, which is found by our Nationall Assemblie, beside the Popish frame and formes in divine worship, to containe many Popish errours, and ceremonies, and the seeds of manifold and grosse superstitions, and idolatries, and to bee repugnant to the Doctrine, Discipline, and order of our reformation, to the Confession of Faith, Constitutions of Generall Assemblies, and Acts of Parliament, establishing the true Religion: that this also was Canterburies worke, we make manifest.

By the memoirs, and instructions sent unto him from our Prelates; wherein they gave a speciall

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By the memoirs, and inſtructions ſent unto him from our Prelates; wherein they gave a ſpe-

ciall account of the diligence they had used to do all which herein they were enjoyned, by the approbation of the service book sent to them; and of all the marginall corrections, wherein it varieth from the English book, shewing their desire to have some few things changed in it, which notwithstanding was not granted. This we finde written by Saint *Andrews* own hand, and subscribed by him, and nine other of our Prelates.

By Canterburies own letters, witnesses of his joy, when the book was ready for the Presse, of his prayers that GOD would speed the worke, of his hope to see that service set up in *Scotland*, of his diligence to send for the Printer, and directing him to prepare a black letter, and to send it to his servants at *Edinburgh*, for printing this booke. Of his approbation of the proofes sent from the presse. Of his feare of delay, in bringing the worke speedily to an end, for the great good, (not of that Church, but) the Church. Of his encouraging *Rosse* who was entrusted with the Presse, to goe on in this peece of Service without feare of enemies. All which may bee seene in the Autographs and by letters sent from the Prelate of *London* to *Rosse*, wherein as he rejoyceth at the sight of the *Scottish* Canons; which although it should make some noise at the beginning, yet they would bee more for the good of the Kirk, then the Canons of *Edinburgh* for the good of the Kingdome. So

concerning

chuſing the Liturgie hee ſheweth, That *Roſſe* had ſeene to him, to have an explanation from Canterburie of ſome paſſage of the Service booke, and that the preſſe behoved to ſtand till the explanation come to *Edinburgh*, which therefore he had in haſte obtained from his Grace, and ſent the diſpath away by Canterburies own conveiance.

But the booke it ſelfe as it ſtandeth interlined, margined and patcht up, is much more then all that is expreſſed in his letters, and the changes and ſupplements themſelves, taken from the Maſſe booke, and other Romiſh Rituals, by which hee maketh it to varie from the booke of *England*, are more pregnant teſtimonies of his Popiſh ſpirit, and wicked intentions, which hee would haue put in execution upon us, then can be denied. The large declaration profeſſeth, that all the variation of our booke, from the booke of *England*, that ever the King underſtood, was in ſuch things as the Scottiſh humours would better comply with, then with that which ſtood in the Engliſh Service. Theſe Popiſh innovations therefore have been ſurrepetitiouſly inſerted by him, without the Kings knowledge, and againſt his purpoſe. Our Scottiſh Prelates do petit on that ſomething may be abated of the Engliſh ceremonies, as the croſſe in baptiſme, thee ring in marriage, and ſome other things. But Canterburie, will not onely have theſe things kept, but a great many more, and worſe ſuperadded,

which was nothing else, but the adding of Jewell to the fire. To expresse and discover all, would require a whole booke, we shall onely touch some few in the matter of the Communion.

This booke inverteth the order of the Communion, in the booke of *England*, as may be seene by the numbers, setting down the orders of this new Communion, 1, 5, 2, 6, 7, 3, 4, 8, 9, 10, 15. Of the divers secret reasons of this change, we mention one onely, In joyning the spirituall praise and thanksgiving, which is in the booke of *England*, pertinently after the Communion, with the prayer of consecration before the Communion, and that under the name of Memoriall, or Oblation, for no other end, but that the memoriall and sacrifice of praise, mentioned in it, may bee understood according to the Popish meaning. *Bellar. de Missa, lib. 2. cap. 21.* Not of the spirituall sacrifice, but of the oblation of the body of the Lord.

It seemeth to be no great matter, that without warrand of the book of England, the Presbyter going from the North end of the Table, shall stand during the time of consecration, at such a part of the Table, where he may with the more ease and decencie use both hands; yet being tried, it importeth much, as that he must stand with his hinder parts to the people, representing (saith *Durand*) that which the Lord said of *Moses*, *Thou shalt see my hinder-parts*: He must have the use of both his hands, not

for

for any thing he hath to doe about the bread and wine, for that must bee done at the North end of the Table, and be better seen of the people; but (as we are taught by the Rationalists) that hee may be stretching foorth his armes to represent the extension of Christ on the Crosse, and that he may the more conveniently lift up the bread and wine above his head to be seen and adored of the people, who in the Rubrick of the generall Confession, a little before, are directed to kneel humbly on their knees, that the Priests elevation so magnified in the Masse, and the peoples adoration may goe together. That in this posture speaking with a low voice, and muttering (for sometimes hee is commanded to speak with a lowd voice, and distinctly) he be not heard by the people, which is no lesse a mocking of GOD, and his people, then if the wordes were spoken in an unknowne language. As there is no word of all this in the English Service; so doth the booke in King *Edwards* time, give to every Presbyter his liberty of gesture, which yet gave such offence to *Bucer*, the censurer of the book: and even in *Cassanders* owne judgement, a man of great moderation in matters of this kinde, that hee calleth them, *Nunquam satis execrandos Missæ gestus* and would have them to be abhorred, because [illegible] firme to the simple and superstitious *ter impiam* [illegible] *Missæ fiduciam*. The corporall presence of [illegible] body in the Sacrament, is also to bee found h[illegible] words of the Masse-book serving

to

[illegible] this purpose, which are sharply considered by *Bucer* in King *Edwards* Leiturgie, and are not to be found in the booke of England, are taken in here; Almightie God is incalled, that of his Almightie goodnesse hee may vouchsafe so to blesse and sanctifie with his Word and Spirit, these gifts of bread and wine, that they may be unto us the body and bloud of Christ.

The change here is made a work of Gods omnipotencie: the words of the Masse, *ut fiant nobis*, are translated in King *Edwards* booke, *That they may be unto us*, which are again turned into Latine by *Alesius*, *ut fiant nobis*. On the other part, the expressions of the book of England at the delivery of the Elements of *feeding on Christ by faith*, & of *eating & drinking in remembrance that Christ died for thee*, are utterly deleated. Many evidences there bee in this part of the Communion, of the bodily presence of Christ, very agreeable to the doctrines taught by his Secretaries, which this paper cannot containe. They teach us, that Christ is received in the Sacrament, *corporaliter*, both *objectivè* and *subjectivè*. *Corpus Christi est objectum quod recipitur, & corpus nostrum subjectivum quo recipitur.*

The book of England abolisheth all that may import the oblation of any unbloody Sacrifice, but heere we have besides the preparatorie oblation of the Elements, which is neither to be found in t[illegible] of England now, nor in King *Edwards* book [illegible] oblation of the body and blood of Christ, [illegible] *ellarmine* calleth, *Sacrificium laudis, quia deus* [illegible] *magnoperè laudatur.*

laudatur. This also agreeth well with this their late doctrine. We are ready when it shall be judged convenient, and wee shall bee desired, to discover much more matters of this kinde, as grounds laid for *missa sicca*, or the halfe Masse. The private Masse without the people, Of communicating in one kinde. Of the consumption by the priest, and consummation of the Sacrifice, Of receiving the Sacrament in the mouth, and not in the hand, &c.

Our Supplications were many against these books, but *Cant:* procured them to be answered with terrible Proclamations. We were constrained to use the remedy of protestation, but for our protestations, & other lawfull means, which we used for our deliverance, *Cant:* procured us to be declared Rebels & Traitors in all the parish Kirks of England: when we were seeking to possesse our Religion in peace, against these Devices and Novations. Canterbury kindleth warre against us. In all these it is known, that he was although not the sole, yet the principall Agent and Adviser.

When by the pacification at *Berwick*, both Kingdomes looked for peace and quietnesse, hee spared not, openly in the hearing of many, often before the King and privatly at the Councell table, & the privy Jointo to speak of us as Rebels and Traitours, and to speak against the pacification as dishonourable, and meet to be broken. Neither did his malignancie and bitternesse ever suffer him to rest, till a new warre was entered upon, and all things prepared for our destruction.

By

By him was it that our Government, approved by Nationall Assemblies, subscribed by his Majesties Commissioner, and by the Lords of his Majesties Councell, and by them commanded to be subscribed by all the Subjects of the Kingdome, as a Testimony of our duety to God, and the King; by him was it still called Ungodly, Damnable, Treasonable; by him were Oaths invented, and pressed upon divers of our poore Countrey-men, upon the pain of imprisonment, and many miseries which were unwarrantable by Law, contrary their Nationall Oath.

When our Commissioners did appeare to render the reasons of our Demands, he spared not in the presence of the King, and Committee, to raile against our Nationall Assembly, as not daring to appeare before the world, and Kirks abroad, where himselfe and his actions were able to endure tryall, and against our just and necessary defence, as the most malicious and treasonable contempt of Monarchicall Government that any by-gone age had heard of: His hand also was at the Warrant for the restraint and imprisonment of our Commissioners, sent from the Parliament, warranted by the King, and seeking the peace of the Kingdomes.

When wee had by our Declarations, Remonstrances, and Representations, manifested the truth of our Intentions, and lawfulnesse of our actions, to all the good Subjects of the Kingdome of England, when the late Parliament could not be moved to assist, or enter in warre against us, maintaining our Religion and Liberties,

berties; Canterbury did not onely advise the bleeding up of that high and honourable Court, to the great griefe and hazard of the Kingdome, but, (which is without example) did sit still in the Convocation, and make Canons and Constitutions against us, and our just and necessary defence, ordaining under all highest paines, that hereafter the Clergy shall preach foure times in the year, such doctrine as is contrary, not only to our proceedings, but to the doctrine & proceedings of other reformed Kirks, to the judgement of all sound Divines, and Politiques, and tending to the utter slavery and ruining of all Estates and Kingdomes, and to the dishonour of Kings and Monarchs. And as if this had not been sufficient, he procured six Subsidies to be lifted of the Clergy, under pain of Deprivation to all that should refuse. And which is yet worse, and above which, malice it self cannot ascend, by his meanes a prayer is framed, printed, and sent through all the parishes of England, to be said in all Churches in time of Divine Service, next after the prayer for the Queen & Royall progeny, against our Nation, by name of trayterous Subjects, having cast of all obedience to our anointed Soveraigne, and comming in a rebellious manner to invade England, that shame may cover our faces as enemies to God and the King.

Whosoever shall impartially examine what hath proceeded from himself, in these two books of Canons and Common prayer, what doctrine hath been published and printed these yeares by-past in England,

by his Disciples and Emissaries; what grosse Popery in the most materiall points wee have found, and are ready to shew in the posthume writings, of the prelate of *Edinburgh*, & *Dumblane*, his own creatures, his neerest familiars, & most willing instruments to advance his counsells, and projects, shall perceive that his intentions were deep and large against all the reformed Kirks and reformation of Religion, which in his Majesties Dominions was panting, and by this time had rendered up the Ghost, if GOD had not in a wonderfull way of mercy prevented us: And that if the Pope himselfe had beene in his place, he could not have been more popish, nor could he more zealously have negotiated for Rome, against the reformed Kirks, to reduce them to the Heresies in Doctrine, the Superstitions and Idolatory in worship, and the tyranny in Government, which are in that See, and for which the reformed Kirks did separate from it, & come forth of Babel. From him certainly hath issued all this deluge which almost hath over-turned all. Wetherfore are confident that your Lordships will by your meanes deale effectually with the Parliament, that this great fire-brand bee presently removed from his Majesties presence, and that he may be put to tryall, and put to his deserved censure according to the Lawes of the Kingdome, which shall bee good service to GOD, honour to the King and Parliament, terrour to the wicked, and comfort to all good men, and to us in speciall, who by his meanes principally have beene put to so many

and grievous afflictions, wherein we had perished, if GOD had not beene with us.

Wee doe indeede confesse, that the Prelates of England have beene of very different humours, some of them of a more hote, and others of them, men of a more moderate temper, some of them more, and some of them lesse inclynable to Popery, yet what knowne truth, and constant experience hath made undenyable, wee must at this opportunity professe, that from the first time of reformation of the Kirk of Scotland, not only after the comming of King *JAMES* of happy memory into England; but before, the Prelates of England, have beene by all meanes unceassantly working the over-throw of our Discipline and Governement. And it hath come to passe of late, that the Prelates of England, having prevayled, and brought us to subjection in the point of Governement, and finding their long waited for opportunity, and a fair congruity of many spirits, and powers, ready to operate for their ends, have made a strong assault upon the whole externall worship, and doctrine of our Kirk. By which their doing they did not aime to make us to reforme to ENGLAND, but to make SCOTLAND first (whose weakenesse in resisting, they had before experienced, in the Novations of Governement, and of some points of Worshippe) and thereafter ENGLAND conforme to Rome, even in these matters, wherein ENGLAND had separated

from them, ever since the time of Reformation. A evil therefore which hath ifsued, not so much from the personall disposition of the Prelates themselves, as from the innate quality and nature of the Office, and prelaticall Hierarchy, which did bring forth the Pope in ancient times, and never ceaseth till it bring forth Popish doctrine and worship, where it is once rooted, and the principals thereof fomented and constantly followed. And from that antipathy and inconsistency of the two formes of Ecclesiastical government, which they conceived, and not without cause, that one Hand united also under one Head, and Monarch, was not able to beare: the one being the same in all the parts and powers, which it was in the times of Popery, and now is in the Roman Church. The other being the forme of Government, received, maintained, and practised, by all the reformed Kirks, wherein by their own testimonies, and confessions, the Kirk of Scotland had amongst them no small eminency. This also we represent to your Lordships most serious consideration, that not onely the fire-brands may be removed, but that the fire may be provided against, that there be no more combustion after this.

The charge of the Scottish Commissioners against the the Lieutenant of IRELAND.

IN our Declarations wee have joyned with *Canterbury*, the Lord Lieutenant of *Ireland*, whose malice hath set all his wits and power on worke, to devise and do mischief against our Kirk and Countrey.

No other cause of his malice can we conceive, but r his pride and supercilious disdaine of the Kirk of cotland; which in his opinion declared by his peeches, hath not in it almost any thing of a Kirk, although the Reformed Kirks, and many worthy di- nes of *England*, have given ample testimonie to he Reformation of the Kirk of Scotland. Second- our open opposition against the dangerous innova- tion of Religion intended, and very far promoved in al his Majesties dominions; of which he hath shewed him- self, in his own way no lesse zealous then *Canterburie* himself, as may appear by his advancing of his Chap- lain, D. *Bramble* not onely to the Bishopriek of Derry, but also to be Vicar Generall of *Ireland*, a man prom-

pted

pred for exalting of Canterburian Popery, and Arminianisme, that thus himself he might have the power of both swords, against all that should mainta in the reformation; by his bringing of Doctor *Chappel*, a man of the same spirit, to the University of *Dublin*, for poisoning the fountains, & corrupting the Seminaries of the Kirk. And thirdly, when the Primate of *Ireland* did presse a new ratification of the articles of that kirk, in Parliament, for barring such novations in Religion, he boldly manaced him with the burning by the hand of the Hang-man, of that Confession, although confirmed in former Parliaments.

When he found that the reformation begun in *Scotland*, did stand in his way, he left no means unessayed to rub disgrace upon us, and our cause. The peeces printed at *Dublin*, *Examen conjurationis Scotianæ*, the ungirding of the *Scottish* armor: the Pamphlet bearing the counterfeit name of *Lysimachus Nicanor*; all three so full of calumnies, slanders, & scurrilities against our countrey, and reformation, that the Jesuites in their greatest spite, could not have said more; yet not onely the Authors were countenanced & rewarded by him, but the books must bear his name, as the great Patron both of the worke and workman.

When the national oath and covenant, warranted by our generall Assemblies, was approved by Parliament, in the articles subscribed in the Kings name, by his Majesties high Commissioner, and by the Lords of Privie Councel, & commanded to be sworn by his Majesties

subjects

subjects of all ranks, and particular and plenary information was given unto the Lieutenant, by men of such quality, as he ought to have beleeved, of the loyalty of our hearts to the King, of the lawfulnesse of our proceedings, and innocency of our Covenant, and whole course that he could have no excuse: yet his desperate malice made him to bend his craft and crueltie, his fraud and forces against us. For first, he did craftily call up to *Dublin* some of our Countrey-men, both of the Nobility and Gentry, liuing in *Ireland*, shewing them, that the King would conceive and account them as conspirers with the Scots, in their rebellious courses, except some remedie were provided: and for remedie, suggesting his own wicked invention, to present unto him and his Councell, a petition, which he caused to be framed by the Bishop of *Raphoe*, and was seene and corrected by himself, wherein they petitioned to have an oath given them, containing a formall renunciation of the *Scottish* Covenant, and a deep assurance never so much as to protest against any of his Majesties commandements whatsoever.

No sooner was this oath thus craftily contrived, but with all haste it is sent to such places of the Kingdome where our Countrey men had residence; and men, women, and all other persons, above the yeares of sixteene, constrained either presently to take the oath, and there by renounce their Nationall Covenant,

as seditious and and traiterous, or with violence and crueltie to bee hailed to the jayl, fined above the value of their estates, and to be kept, close prisoners, and so far as wee know, some are yet kept in prison, both men and women of good quality, for not renouncing that Oath, which they had taken fourty years since, in obedience to the King who then lived. A cruelty ensued which may paralell the persecutions of the most unchristian times: For weake women, dragged to the Bench to take the Oath, died in the place, both mother and childe; hundreds driven to hide themselves, till in the darknesse of the night they might escape by sea to *Scotland*, whither thousands of them did flee, being forced to leave Cornes, Cattels, Houses, and all they possessed, to be a prey to their persecuting enemies, the Lieutenants, Officers. And some indited and declared guilty of high Treason, for no other guiltinesse but for subscribing our Nationall Oath, which was not onely impiety and injustice in it self, and an utter undoing of his Majesties subjects, but was a weakning of the Scots plantation, to the prejudice of that Kingdome, and his Majesties service, and was a high scandall against the Kings honour, and intollerable abuse of his Majesties trust and authority: his Majesties commission, which was procured by the Lieuetenant, bearing no other penaltie then a certification of noting the names of the refusers of the oath.

But this his restles rage and insatiable cruelty against

our

our Religion and Countrey, cannot be kept within the bounds of *Ireland*.

By his meanes a Parliament is called, And although by the six subsidies granted in Parliament not long before; and by the base means which himselfe and his Officers did use, as is contained in a late Remonstrance, that land was extreamly impoverished, yet by his speeches, full of oathes and asseverations, that we were traitors and rebels, casting off all Monarchicall government, &c. he extorted from them foure new subsidies, & *indicta causa* before we were heard, procured that a warre was undertaken, and forces should bee leavied against us as a rebellious Nation, which was also intended to bee an example and Precedent to the Parliament of *England* for granting subsidies, and sending a joynt Armie for our utter ruine. According to his appointment in Parliament, the armie was gathered, and brought downe to the coast, threatning a daily invasion of our Countrey, intending to make us a conquered Province, and to destroy our Religion, Liberties, and Laws, and thereby laying upon us a necessity of vast charges, to keep forces on foot on the west coast to wait upon his coming. And as the war was denounced, and forces levied before we were heard. So before the denouncing of the war, our ships, and goods on the Irish coast were taken, and the owners cast in prison, and some of them in Irons. Frigats was sent forth to scours our coasts, which did take some, and burne others of our Barkes.

Having thus united the Kingdome of *Ireland*, hee put his forces in order there against us, with all haste he cometh to *England*.

In his parting, at the giving up of the Sword, hee openly avowed our utter ruine and desolation, in these or the like words; *If I returne to that honourable sword I shall leave of the Scots neither root nor branch.*

How soon hee cometh to Court, as before hee had done very evil offices against our Commissioners, clearing our proceedings before the point; so now he useth all means to stir up the King and Parliament against us, and to move them to a present war, according to the Precedent, and example of his owne making in the Parliament of *Ireland*. And finding that his hopes failed him, and his designes succeeded not that way, in his nimblenesse he taketh another course, that the Parliament of *England* may be broken up, and dispysing their wisedome and authority, not onely with great gladnesse accepteth, but useth all meanes that the conduct of the armie, in the expedition against *Scotland*, may be put upon him; which accordingly he obtaineth as generall Captain, with power to invade, kill, slay, and save at his discretion, and to make any one, or moe Deputies in his stead, to do and execute all the power and authorities committed to him.

According to the largenesse of his Commission, and Letters patents of his devising, so were his deportments afterwards: for when the *Scots*, according to

their

their Declarations sent before them, were coming in a peaceable way, farre from any intention to invade any of his Majesties Subjects, and still to supplicate his Majestie for a settled peace, hee gave order to his Officers to fight with them on the way, that the two Nations once entred in bloud, whatsoever should bee the successe, he might escape tryall and censure, and his bloudy designes might be put in execution against his Majesties Subjects of both Kingdomes.

When the Kings Majestie was again enclined to hearken to our Petitions, and to compose our differences in a peaceable way, and the Peeres of *England* conveened at *Yorke*, had, as before in their great wisedome and faithfulnesse given unto his his Majesties Councels of peace, yet this firebrand still smoaketh, and in that honourable Assembly, taketh upon him to breath out threatnings against us as Traitours, and enemies to Monarchicall government, that we may be sent home again in our bloud, and hee will whip us out of *England*.

And as these were his Speeches in the time of the Treaty, appointed by his Majestie at *Rippon*, that if it had been possible, it might have been broken up; so when a cessation of armes was happily agreed upon there, yet he ceaseth not, but still his practises were for war; his under Officers can tell who it was that gave them commission, to draw neare in armes beyond the *Teese*, in the time of the Treaty at *Rippon*.

The Governour of *Barwick* and *Carlile* can shew,

16 Decem. 1640.

The Scottish Commissioners Demand concerning their sixt ARTICLE.

Concerning our sixt Demand, Although it hath often come to passe, that these who have been joyned by the bonds of Religion and Nature, have suffered themselves to be divided about the things of this World; And although our adversaries, who no lesse labour the division of the two Kingdomes, then wee doe all seek peace, and follow after it, as our common happinesse, doe presume that this will be the partition wall, to divide us, and to make us lose all our labours taken about the former Demands: Whereinby the help of GOD, by his Majesties Princely goodnesse, and justice, and your Lordships noble and equall dealing; Wee have so fully accorded, and to keep us from providing for a firm and well grounded Peace, by the wisedome and justice of the Parliament of England, which is our greatest desire expressed in our last Demand. Wee are still confident, that as wee shall concerning this Article represent nothing but what is true, just, and honourable

to,

to both Kingdomes; So will your Lordships hearken to us, and will not suffer your selves, by any slanders, or suggestions, to be drawne out of that straight and safe way, wherein ye have walked since the beginning.

IT is now, We suppose, known to all *England*, especially to both the Honourable Houses of Parliament, and by the occasion of this Treatie, more particularly to your Lordships, that our distresses in our Religion, and Liberties were of late more pressing, then Wee were able to beare, that our complaints, and supplications for redresse were answered at last with the terrours of an Armie; that after a pacification great preparations were made for warre, whereby many acts of hostility were done against us, both by Sea and Land; The Kingdome wanted administration of justice, and We constrained to take armes for our defence; that Wee were brought to this extreame, and intollerable necessity, either to maintaine divers armies upon our borders against invasion from *England*, or *Ireland*, still to bee deprived of the benefite of all the Courts of Justice, and not onely to maintain so many thousands, as were spoiled of their ships, and goods, but to want all commerce by sea, to the undoing of Merchants, of Saylors, and many others who lived by fishing, and whose callings are upholden from hand to mouth by sea trade: any one of which evils is able in a short time to bring

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the moſt potent Kingdome to confuſion, ruine and deſolation; how much more all the three at one time combined to bring the Kingdome of Scotland to bee no more a Kingdome: Yet all theſe behoved wee either to endure, and under no other hope, then of the perfect ſlavery of our ſelves and our poſterity, in our ſoules, lyves, and meanes; Or to reſolve to come into England, not to make invaſion, nor with any purpoſe to fight, except wee were forced, GOD is our Judge, our actions are our witneſſes, and England doth now acknowledge the truth, againſt all ſuſpitions to the contrary, and againſt the impudent lyes of our Enemies; But for our reliefe, defence, and preſervation which wee could finde by no other meanes, when wee had eſsayed all meanes, and had at large expreſſed our pungent, and preſſing neceſsities, to the Kingdome, and Parliament of England. Since therefore the warre on our part, (which is no other but our comming into England with a Guard) is defenſive, and all men doe acknowledge, that in common equity, the Defendant ſhould not bee ſuffered to periſh in his juſt and neceſsary defence, but that the Purſuer, whether by way of Legall proceſſe in the time of Peace, or by way of violence, and unjuſt invaſion in the time of warre, ought to beare the charges of the Defendant. Wee truſt that your Lordſhips will thinke that it is not againſt reaſon for us, to demand ſome reparation of this kind: and that the Parliament

ment of England, by whose wisedome and justice wee have expected the redresse of our wrongs, will take such course, as both may in reason give us satisfaction, and may in the notable demonstration of their justice, serve most for their own honour.

Our earnestnesse in following this our Demand, doth not so farre wrong our sight, and make us so undiscerning, as not to make a difference betweene the Kingdome, and Parliament of England, which did neither decree nor set forward a warre against us: And that prevalent faction of Prelates and Papists, who have moved every stone against us, and used all sorts of meanes, not only their counsels, subsidies and forces, but their Kirk Canons, and prayers for our utter ruine, which maketh them obnoxious to our just accusations, and guilty of all the losses, and wrongs, which this time past wee have sustained. Yet this wee desire your Lordships to consider, That the Estates of the Kingdome of Scotland being assembled, did endeavour by their Declarations, Informations, & Remonstrances, and by the proceedings of their Commissioners, to make knowne unto the Councell, Kingdome, and Parliament of England, and to forewarne them of the mischiefe intended against both Kingdomes, in their Religion, and Liberties, by the Prelates and Papists, to the end, that our Invasion from England might have beene prevented, if by the prevalencie of the faction it had beene possible. And therefore wee may

now

now with the greater reason and confidence presse our Demand; that your Lordships, the Parliament, the Kingdome, and the King himself may see us repared in our losses at the cost of that faction, by whose means we have sustained so much damage; And which, except they repent, will finde sorrow recompensed for our grief, torments for our toyle, and an infinite greater losse for the temporal losses they have brogt upon a whole Kingdome, which was dwelling by them in peace.

All the devices and doings of our common enemies were to bear down the truth of Religion, and the just liberties of the Subjects in both Kingdomes. They were confident to bring this about one of two wayes: either by blocking us up by sea and land, to constraine us to admit their will for a law both in Kirk and policie, and thus to make us a Precedent for the like miserie in *England*, or by their invasion of our Kingdome to compel us furiously, and without order, to break into *England*, that the two Nations once entered in a bloudy war, they might fish in our troubled waters, and catch their desired prey. But as we declared before our coming: wee trusted that God would turne their wisedome into foolishnesse, and bring their devices upon their owne Pates, by our intentions, and resolutions to come into *England* as among our Brethren, in the most peaceable way that could stand with our safetie, in respect of our common enemies, to present our Petitions for

settling our peace, by a Parliament in England, wherein the intentions and actions, both of your adversaries, and ours might be brought to light, The Kings Majesty, and the Kingdome rightly informed, The authors and instruments of our divisions and troubles punished, All the mischiefes of a Nationall, and doubtfull warre prevented, and Religion, and Liberty with greater peace and amity then ever before established, against all the craft and violence of our enemies. This was our Declaration before we set our foot into England, from which our deportments since have not varied. And it hath beene the LORDS wonderfull doing, by the wise Counsels, and just proceedings of the Parliament, to bring it in a great part to passe, and to give us lively hopes of a happy Conclusion: And therefore we will never doubt, but that the Parliament in their wisedome and Justice, will provide that a proportionable part of the cost and charges of a worke so great and so comfortable to both Nations, bee borne by the Delinquents there, that with the better conscience the good people of England may sit under their owne vines, and fig-trees, refreshing themselves, although upon our greater paines & hazard, yet not altogether upon our cost and charges, which wee are not able to beare.

The Kingdome of England doth know and confess, that the Innovation of Religion and Liberties in Scotland, were not the principall designe of our

common

common Enemies, but that both in the Intention of the workers, whose zeal was hotteſt for ſettling their devices at home: And in the Condition of the work, making us whom they conceived to be the weaker for oppoſition, to bee nothing elſe but a leading caſe for England. And that although by the power of God, which is made perfite in weakneſſe, they have found amongſt us greater reſiſtance then they did feare, or either they or our ſelves could have apprehended; Yet, as it hath beene the will of God that wee ſhould endure the heat of the day, So in the evening, the pretious wages of the vindication of Religion, Liberties, & Lawes, are to bereceived by both Kingdomes, and will enrich we hope to our unſpeakable joy, the preſent age and the poſterity with bleſsings that cannot be valued, and which the good people of England eſteeme more then Treaſures of Gold, and willingly would have purchaſed with many thouſands. Wee doe not plead that conſcience, and piety have moved ſome men to ſerve God upon their own coſt, and that juſtice, and equity have directed others, where the Harveſt hath been common to conſider the paines of labouring, and the charges of the sowing, yet this much may wee ſay, that had a forrain Enemy, intending to reduce the whole Iland into Popery, made the firſt aſſault upon our weakneſſe, We nothing doubt, but the Kingdome of England, from their deſire to preſerve their Religion, and Liberties, would have found the way to beare with us the expenſe of our reſiſtance, and law-

full defence, how much more being invaded, although not by *England*, yet from *England*, by common enemies, seeking the same ends, we expect to be helped and relieved.

We will never conceive that it is either the will, or the well and honour of *England*, that wee should goe from so blessed a work after so many grievous sufferings, bearing on our backs the insupportable burdens of worldly necessities, and distresses, returne to our Country empty, and exhausted, in which the people of all ranks, sexes, and conditions have spent themselves: The possessions of every man, who devoted himself heartily to this cause, are burdened, not onely with his own personall, and particular expense, but with the publick, and common charges; of which if there be not relief, neither can our Kingdome have peace at home, nor any more credit for commerce abroad: Nor will it be possible for us, either to aid, and assist our friends, or to resist, and oppose the restlesse and working wickednesse of our enemies: the best sort will lose much of the sweetnesse of the enjoying of their Religion, and Liberties, and others will run such wayes, and undirect courses, as their desperate necessities will drive them into. We shall be but a burden to our selves, a vexation to others, of whose strength we desire to be a considerable part, and a fit subject for our enemies to work upon for obtaining their now disappointed, but never dying desires.

We will not alledge the example of other kingdomes where the losses of necessary and just defence had been repaired by the other party; nor will wee remember what help we have made according to our abilities, to other reformed Kirks; and what the Kingdome of *England* of old, and of late hath done to *Germany*, *France*, and *Holland*; nor do wee use so many words, that *England* may be burdened, and wee eased, or that this should be a matter of our covetousnesse, and not of their justice, and kindnesse; Justice (in respect of our adversaries (who are the causes of the great miserie and necessity, to which wee have been brought; kindnesse, in the supply of our wants, who have been tender of the welfare of *England* as of our own, that by this equality and mutuall respect, both Nations may bee supported in such strength, and sufficiency, that we may be the more serviceable to his Majestie, and abound in every good worke, both towards one another, and for the comfort and relief of the reformed Kirks beyond the seas, that wee may all blesse God, and that the blessing of God may be upon us all.

The English *Peeres demand, concerning the preceding Article.*

Whether this be a positive demand, or onely an intimation of the charge, thereby to induce the Kingdome of *England*, to take your distressed estate into consideration, and to afford you some friendly assistance.

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The Scottish Commissioners answer to this Demand.

We would be no lesse willing to beare our losses if we had ability, then we have been ready to undergoe the hazard; but because the burthen of the whole doth farre exceed our strength; we have (as is more fully conceived in our Papers) represented to your Lordships our charges and losses, not intending to demand a totall reparation, but of such a portionable part, as that we may in some measure bear the remanent, which wee conceive, your Lordships (having considered our reasons) will judge to bee a matter not of our covetousnesse, but of the said justice and kindnes of the Kingdome of *England*.

Proposition of the Peeres to proceed to the other Demands during the debate of the Scottish losses.

That in the interim whilst the Houses of Parliament take into consideration, your demand of losses, and dammages, you proceed to settle the other Articles of the Peace, and intercourse betwixt the two Kingdomes.

Answer to the Peeres Demand.

We have represented our losses, and thereby our distressed condition ingenuously, and in the singlenesse of our hearts, with very great moderation, passing over many things, which to us are great burdens, That there might be no difficultie, nor cause of de-

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ay on our part, hoping that the honourable Hou-
es of Parliament, would thereby be moved at their
irſt conveniencie to take the matter to their conſide-
ation.

We do not demand a totall Reparation; nor do we
peak of the paiment, till wee conſult about the ſet-
ing of a ſolid peace, at which time the wayes of lift
ng, and paying the money, may be conſidered; we
o onely deſire to know what proportion may be ex-
ected. That this being once determined, and all
mpediments, ariſing from our by-paſt troubles, re-
noved; wee may with the greater confidence, and
nore hearty conſent on both ſides proceed to the
ſtabliſhing of a firme and durable peace for time to
ome.

It is not unknown to your Lordſhips, what deſpe-
ate deſires, and miſerable hopes our adverſaries have
onceived of a breach upon this Article: And we do
oreſee, what ſnares to us, & difficulties to your Lord-
hips may ariſe upon the poſtponing and laying aſide
of this Article to the laſt place.

And therefore that our Adverſaries may bee out
of hope, and wee out of fear, and that the ſetling
of peace may be the more eaſie: We are the more
earneſt, that, as the former Articles have been, ſo
his may be upon greater reaſons, conſidered in its
own place, and order.

Your Lordſhips upon the occaſion of ſome mo-

tions

tion made heretofore of the transposing of our Demands, do know, that not onely the substance, but the order of the propounding of them, is contained in our Instructions. And as wee can alter nothing without warrant, the craving whereof will take more time then the Houses of Parliament will bestow upon the consideration of this Article; so are we acquainted with the reasons yet standing in force, which moved the ordering of this Demand. And therefore let us still be earnest with your Lordships, that there be no haking here, where the Adversaries did most, and we did least of all, by reason of the Justice, and kindnesse of the Houses of Parliament expect it.

Answer of the Parliament to the preceding Demand.

Resolved upon the Question.

That this house think fit, that a friendly assistance and relief shall be given towards supply of the losses, and necessities of the Scots; and that in due time this house will take into consideration the measure and manner of it.

The Scots Commissioners Answer.

As we do with all thankfulnesse receive the friendly and kinde resolution of the Parliament concerning our first Demand, and do therein acknowledge your Lordships noble dealing, for which we may assure that the whole Kingdome of *Scotland* will at occasions expresse themselves in all respect, and kindnesse, So do we intreat your Lordships to represent to the Parliament our earnest desire, that they may bee pleased, how soone

their

their convenience may serve, to consider of the pro-
portion, willing him, that as we expect from our friends
the testimonies of their kindnes and friendly assistance,
so the justice of the Parliament may bee declared, in
making the burden more sensible to the Prelats and Pa-
pists (our enemies, and authors of all our evils) then to
others, who never have wronged us; which will not
only give unto us, and the whole Kingdome of Scot-
land, the greater satisfaction, but will also (as we do
conceive) conduce much to the honour of the Kings
Majesty and Parliament. We do also expect that your
Lordships will be pleased to report unto us the answer,
of the Parliament, that we may in this, as in our former
Articles, give account to those who sent us.

The Peeres demand upon the above written answer.

We desire to understand, since (as we conceive) the
particulars are like to require much time, whether we
may not from you let the Parliament know; that whil-
est they are debating of the proportion, and the waies
how their kinde assistance may be raised) you will pro-
ceed to the agreeing of the Articles of a firme and du-
rable peace, that thereby both time may be saved,
& both sides proceed mutually with the greater chear-
fulnesse and alacrity.

The Scottish Commissioners Answer to the preceeding Demand.

As we desire a firme peace, so it is our desire that this
peace may be with all mutuall alacrity speedily con-
clude. Therfore let us entreat your Lordships, to shew

[illegible] from us, that [illegible] soon they shall be [illegible] to make the proportion known to us, that we may satisfie the expectation of those who have entrusted us (which we conceive may be done in a short time, since they are already acquainted with all the particulars of our Demand) we shal stay no longer upon the manner and wayes of raising the assistance, which may require a longer times and yet wee trust will bee with such conveniency determined, as may serve for our timous relief, but remitting the manner and wayes to the opportunities of the Parliament, shal most willingly proceed to the consideration of the following articles, Especially to that which wee most of all desire, a firme and a blessed peace.

Jan. 16.

Our Commissioners seventh Demand.

BEing confident that the Parliament will fully expede our sixt Demand, & in due time will consider of such things as are necessary for our tymous reliefe, We conceive it more convenient at an other occasion to returne to the consideration of such things as are not yet determined, than now to make any delay. And therefore we proceed to the seventh Demand: Concerning which since it is manifest that his Majest. Subjects of Scotland, & their proceedings have been very much wronged by the sinistrous informations of such as for

their

their own ends have called their loyaltie in queſtion, & have diſturbed the peace of his Majeſt. Dominions: It is our requeſt & humble deſire, that as his Majeſty hath been graciouſly pleaſed, to grant his royall approbation to the Acts of the late Parl. of Scotland, wherein all ſuch declarations, proclamations, acts, books, libels, & pamphlets, as have been made, written, or publiſhed againſt his loyall & dutifull ſubjects, are recalled, & ordained to be ſuppreſſed and deſtroyed: So his Majeſty may give order that the ſame may be recalled, ſuppreſſed, & forbidden in England & Ireland: And that the loyalty, integrity, & faithfulnes of his Majeſt. ſubjects of Scotland towards his Majeſt. royall perſon and government, may at the cloſing of this Treaty of peace, and at the time of publick thankſgiving for the ſame, may be made known in all places, & all Paroch Kirks of his Majeſties Kingdomes. This do we the more earneſtly deſire and confidently expect from his Majeſties juſtice and goodnes, becauſe no calamity or diſtreſſe hath ſo ſore vexed and ſo deeply wounded the hearts of his Majeſties ſubjects, as that their loialty & love towards their native King ſhould have beene contraverted, & by the malignancie of bad inſtruments brought into ſuſpition; And becauſe they unfeignedly deſire and pray for his Majeſties happines, and are reſolved by all meanes and at all occaſions to deny themſelves and what they have for his Majeſties honour.

6. *Februar.* 1640.

[illegible]

[illegible] And we do also a-
gree that when it shall please the Almighty God to
grant a happy close of this Treatie of peace, the loy-
alty of the Maiestie's [illegible] publicks, shall be made known
[illegible] of publick thanksgiving in all [illegible]
[illegible]
[illegible] indeed, [illegible]
[illegible] deeply is [illegible]
[illegible] that their loyalty
and love to [illegible] their native King, [illegible]
[illegible] happiness, [illegible]
[illegible] all means, and at all occasions to deny [illegible]
[illegible] and what they have for [illegible]

[illegible]

F I N I S.